

**REMARKS**

This Amendment is filed in response to the Office Action dated Aug. 24, 2009 in connection with a Petition for Extension of Time. The Applicant respectfully requests reconsideration in light of the below discussion. All objections and rejections are respectfully traversed.

Claims 1, 4-11, 13-19, 22-29, 31-37, 40-47, and 49-60 are pending in the application.

Claims 1, 10, 11, 13, 14, 19, 28, 29, 32, 37, 46 and 50 have been amended.

No new claims have been added.

***Claim Rejections - 35 U.S.C. §103(a)***

**Claims 18, 36, 54, and 57-59:**

At page 10-11 of the Final Office Action, claims 18, 36, 54, and 57-59 are rejected under 35 U.S.C. §103(a) over Rakoshitz et al., U.S. Patent No. 6,578,077 (hereinafter “Rakoshitz”), in view of Battat et al., U.S. Publication No. 2002/0013837 (hereinafter “Battat”), in further view of Manghirmalani et al., U.S. Patent No. 5,819,028 (hereinafter “Manghirmalani”) in still further view of Trcka et al., U.S. Patent No. 6,453,345 (hereinafter “Trcka”).

The Applicant’s claim 57, representative in part of the other rejected claims, sets forth (emphasis added):

57. A method comprising:

monitoring data traffic in a distributed computer network;

*storing records relating to the data traffic in one or more network information files;*

selecting a characteristic of the data traffic for display;

*extracting data from the network information files related to the selected characteristic for a plurality of time intervals within a larger time interval; and*

*for each time interval within the larger time interval, generating a frame that visually depicts a map of the network topology of the distributed computer network, with nodes of the map representing network components, the nodes interconnected by lines that represent traffic flow between the network components, the frame to visually indicate a value of the characteristic*

of data traffic between two network components with the visual appearance of a line interconnecting the two nodes representing those two network components; and

playing a rapid succession of frames to a user to illustrate changes in the characteristic of the data traffic over the larger time interval, wherein changes in the visual appearance of the line interconnecting the two nodes in successive frames indicate changes in the value of the characteristic of the data traffic between the two network components.

Rakoshitz discusses a real-time traffic monitoring tool with a display having two portions. “[T]he first portion displays a graphical chart representing the flow of information. The second portion displays text information describing aspects of the flow of information.” *See* Rakoshitz col. 2, lines 49-53. The graphical chart may be a line chart (*see* Rakoshitz Fig. 13, “line plot” 1304 and col. 20, lines 21-22), a bar chart, a pie chart, etc. (*see* Rakoshitz col. 20, lines 38-39).

Battat discusses a virtual reality environment for managing network components. “Photo-realistic” images of buildings, rooms, computers and internal components of computers are rendered. *See* Battat paragraphs 0109-0110. A user may selected a device with a “targeting reticule” to see a status of the device. *See* Battat paragraphs 0113-0114. “[N]etwork scenes” are displayed showing “computers and other devices attached to the opened segments.” *See* Battat paragraph 0192 and Fig. 17 (reproduced below).

Manghirmalani describes a “network management station [that] generates a representation of a computer networks functionality...” such as “health”, load, error rate, etc. *See* Manghirmalani col. 3, lines 46-49 and col. 9, lines 19-27, 56-58. “The network management station initiates [a] data gathering process by sending quires to agents... The collected data is stored in a local register.” *See* Manghirmalani col. 5, lines 39-43. Thereafter, data is “displayed on a CRT computer monitor display on the network management station in forms of either a dial meter, graphical meter or digital meter. *See* Manghirmalani col. 9, lines 28-37 and Fig. 6.

Trcka describes a “network security and surveillance system [that] passively monitors and records the traffic present on a local area network... without interrupting or otherwise interfering with the flow of the traffic.” *See* abstract. An Audit application may be used to analyze logon data. *See* Trcka col. 22, lines 63-64. Fig. 13 depicts a screen shot of the Audit application, where a user can select parameters and settings. *See* Trcka col. 23, lines 13-19 and Fig. 13, 208. For example, a user can select a start date and time, and end data and time for which logon activity will be displayed. *See* Trcka Fig. 13, 208.

Neither Rakoshitz, Battat, Manghirmalani nor Trcka suggest the claimed “*storing records relating to the data traffic in one or more network information files*” and “*extracting data from the network information files related to the selected characteristic for a plurality of time intervals within a larger time interval*” and “*for each time interval within the larger time interval, generating a frame.*”

The Applicant stores records relating to data traffic in one or more network information files, and then extracts data from the network information files that is related to a selected characteristic for a plurality of time intervals within a larger time interval. Data for each of the smaller time intervals within the larger time interval is used to generate a different frame. None of the cited references suggest these aspects of claim 57.

While Rakoshitz discusses “traffic monitoring” and a “real-time bandwidth-profiling tool” (*see* Rakoshitz col. 2, lines 35-65), Rakoshitz makes no mention of extracting data from network information files related to a selected characteristic for a plurality of time intervals within a larger time interval. Nor does Rakoshitz suggest data for each of the smaller time intervals within the larger time interval should be used to generate a frame. Indeed, rather than even have a plurality of different frames for different time intervals, Rakoshitz displays data for all his different times in the same image, i.e. in the line chart (*see* Rakoshitz Fig. 13, “line plot” 1304 and col. 20, lines 21-22).

Further, while Battat discusses a virtual reality environment where a user can see “photo-realistic” depictions of network components (*see* Battat paragraphs 0109-0113), Battat makes no mention of extracting data from network information files related to a selected

characteristic for a plurality of time intervals within a larger time interval. Nor does Battat suggest data for each of the smaller time intervals within the larger time interval should be used to generate a frame. Rather than looking to such segments of existing stored data, Battat suggests that “[c]ontinual reporting is provided by the present invention....” See Battat paragraph 0134.

Further, while Manghirmalani mentions a “data gathering process” that loads a local register with data, and a display that shows such data with “either a dial meter, graphical meter or digital meter” (see Manghirmalani col. 5, lines 39-43. col. 9, lines 28-37), Manghirmalani makes no mention of extracting data from network information files related to a selected characteristic for a plurality of time intervals within a larger time interval. Nor does Manghirmalani suggest data for each of the smaller time intervals within the larger time interval should be used to generate a frame.

Finally, while Trcka discusses an “Audit application” having a screen where a user can select a start date and time, and an end data and time, for which logon activity will be displayed (see Trcka col. 22, lines 63-64 and Fig. 13, 208), Trcka makes no mention of extracting data from network information files related to a selected characteristic for a plurality of time intervals within a larger time interval. For example, there are no smaller time intervals between Trcka’s start date and time and end data and time. Nor does Trcka suggest data for each of the smaller time intervals within the larger time interval should be used to generate a frame.

Accordingly, the Applicant respectfully urges that the combination of Rakoshitz, Battat, Manghirmalani and Trcka is legally insufficient to make obvious the present claims under 35 U.S.C. §103 because of the absence of the Applicant’s claimed “*storing records relating to the data traffic in one or more network information files*” and “*extracting data from the network information files related to the selected characteristic for a plurality of time intervals within a larger time interval*” and “*for each time interval within the larger time interval, generating a frame.*”

**Claims 1, 5, 9, 13, 16, 19, 23, 27, 31, 34, 37, 41, 45, 49, 52:**

At pages 2-5 of the Office Action, claims 1, 5, 9, 13, 16, 19, 23, 27, 31, 34, 37, 41, 45, 49, 52 and 57-60 were rejected under 35 U.S.C. §103(a) over Rakoshitz, in view of Battat, in further view of Manghirmalani.

The Applicant's amended claim 1, representative in part of the other rejected claims, sets forth (emphasis added):

1. A method for graphically presenting characteristics of data traffic on a distributed computer network, comprising:

monitoring traffic on said network;

*storing records relating to said traffic in one or more network information files;*

selecting a characteristic of said traffic for display;

*obtaining a plurality of values of said characteristic of said traffic from said one or more network information files for a selected plurality of time intervals within a larger time interval;* and

presenting said characteristic by playing a rapid succession of graphical images, each graphical image representing said network as nodes connected by lines, said nodes each representing components in said network, said lines representing traffic flow between said components, *each graphical image graphically representing the value of said characteristic at a particular selected time interval of said plurality of time intervals within the larger time interval* with a property of at least one line of said lines that connect nodes,

wherein a change in said property of said at least one line that connects nodes in successive graphical images indicates a change in the value of said characteristic of said traffic.

Neither Rakoshitz, Battat, nor Manghirmalani suggest the claimed “*storing records relating to said traffic in one or more network information files*” and “*obtaining a plurality of values of said characteristic of said traffic from said one or more network information files for a selected plurality of time intervals within a larger time interval*” and “*each graphical image graphically representing the value of said characteristic at a*

*particular selected time interval of said plurality of time intervals within the larger time interval.”*

As discussed above, the references do not suggest values should be obtained from network information files for a plurality of smaller time intervals with a larger time interval, and a different image should be created from the values at each of these smaller time intervals. The Applicant respectfully directs the Examiner’s attention to the discussion above for further analysis of these distinctions from Rakoshitz, Battat and Manghirmalani.

**Claims 4, 6-8, 10, 11, 14, 15, 17, 22, 24-26, 28, 29, 32, 33, 35, 40, 42-44, 46, 47, 50, 51 and 52:**

At pages 5-6 the Office Action, claims 4, 6, 22, 24, 40 and 42 were rejected under 35 U.S.C. §103(a) over Rakoshitz in view of Battat, in further view of Manghirmalani, in still further view of Reichert et al., U.S. Patent No. 5,720,022 (hereinafter “Reichert”).

At pages 6-7 of the Office Action, claims 7, 8, 25, 26, 43, and 44 were rejected under 35 U.S.C. §103(a) over Rakoshitz in view of Battat, in further view of Manghirmalani, in still further view of Tonelli et al., U.S. Patent No. 5,821,937 (hereinafter “Tonelli”).

At pages 7-8 of the Office Action, claims 10, 11, 28, 29, 46, and 47 were rejected under 35 U.S.C. §103(a) over Rakoshitz in view of Battat, in further view of Manghirmalani, in still further view of Jacoby, U.S. Patent No. 5,768,552 (hereinafter “Jacoby”).

At pages 9-10 of the Office Action, claims 14, 15, 17, 32, 33, 35, 50, 51, and 53 were rejected under 35 U.S.C. §103(a) over Rakoshitz in view of Battat, in further view of Manghirmalani, in still further view of Reps et al., U.S. Patent No. 6,070,190 (hereinafter “Reps”).

The Applicant notes that these claims are dependent claims that depend from independent claims believed to be allowable for at least the reasons discussed above.

Accordingly, these claims are believed to be allowable due to their dependency, as well as for other separate reasons.

In the event that the Examiner deems a telephone conversation desirable in disposition of this application, the Examiner is encouraged to call the undersigned attorney at (617) 951-2500.

In summary, all the independent claims are believed to be in condition for allowance and therefore all dependent claims that depend there from are believed to be in condition for allowance. The Applicant respectfully solicits favorable action.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

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